

APR 16 2004

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PTO IDENTIFIER: Application Number 10/035,637, Conf. # 4452  
Patent Number

Inventor: Yashwant M. DEO et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

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PAGES (Including Cover Sheet): 5

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(Jeanne M. DiGiorgio, Esq.)

Docket No.: MXI-1660P  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Yashwant M. Deo *et al.*

Application No.: 10/035,637

Filed: November 7, 2001

For: HUMAN MONOCLONAL ANTIBODIES TO  
DENDRITIC CELLS

Confirmation No.: 4452

Art Unit: 1644

Examiner: Ewoldt, Gerald R.

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APR 16 2004

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed March 16, 2004.

The Office Action requires restriction among the following groups of claims in the above-identified application:

- I. Claims 1-17 and 36-37, drawn to an antibody that binds to dendritic cells and a composition thereof;
- II. Claim 21, drawn to a transgenic animal;
- III. Claims 18-20, and 22, drawn to a hybridoma obtained from a transgenic animal and method of making said hybridoma;
- IV. Claims 23-26, drawn to a bispecific molecule;
- V. Claims 27-35 and 38-39, drawn to a molecular conjugate;
- VI. Claims 40 and 41, drawn to a nucleic acid;

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Docket No.: MXI-166CP

VII. Claims 42-46, drawn to a method for targeting an antigen to a dendritic cell comprising administering a molecular conjugate to a subject; and

VIII. Claims 47 and 48, drawn to a method of preventing binding of a pathogen to a dendritic cell comprising contacting a dendritic cell with an antibody.

Accordingly, Applicants hereby elect Group V (claims 27-35 and 38-39) for continued examination. Applicants respectfully traverse the restriction requirement and request reconsideration insofar as Group V be rejoined with Group VII (claims 42-46).

The claims of Group V are drawn to a molecular conjugate comprising a human monoclonal antibody that binds to human dendritic cells and is linked to an antigen. The claims of Group VII depend from the claims of Group V and are drawn to a method for targeting an antigen to dendritic cells comprising administering to a subject a molecular conjugate of Group V. Accordingly, a search and examination of the invention encompassed by Group VII would be co-extensive with the search and examination of Group V and, as such, would not require undue burden on the Examiner. Indeed, as stated in the M.P.E.P.:

[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.  
M.P.E.P. § 803.

For at least this reason, Applicants respectfully request reconsideration of the restriction requirement and rejoinder and examination of the claims of Group V and Group VII together in the present application.

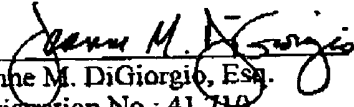
Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. MXI-166CP from which the undersigned is authorized to draw.

Application No.: 10/035,637

Docket No.: MXI-1660 P

Dated: April 16, 2004

Respectfully submitted,

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